

REMARKS

Claims 1-8 have been examined. Claims 3-4 and 7-8 have been withdrawn from further consideration as a result of Applicant's election of species. Claims 1-2 and 5-6 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,177,729 to Muramatsu et al. (hereinafter "Muramatsu") in view of U.S. Patent No. 6,707,784 to Sako et al. (hereinafter "Sako"). Applicant submits that the claims are patentable.

For example, claim 1 recites an information recording/reproducing apparatus for reproducing an address indicative of a recording position on a recording medium from the recording medium on which address data obtained by modulating the address in at least two different modulation schemes are recorded. The apparatus comprises a demodulator, an error corrector, and an address output part. The demodulator performs demodulation processing on a read signal read from the recording medium corresponding to each of the modulation schemes.

Muramatsu is directed to a method and apparatus for reading information on an information recording medium in which recorded information is read from one track a plurality of times. The apparatus comprises an optical disk 1 which is scanned by an optical pickup 3 to read out a signal. A first read signal R1 is fed along circuit path ROUT 1 to a first modulation circuit 7 and a second read signal R2 is fed along circuit path ROUT 2 to a second modulation circuit 8, where EFM demodulation is performed on the respective signals. Signals R1 and R2 are then sent to error correction circuits 11 and 12, respectively. The signals are then fed to a comparing and selecting circuit 13 and a compensation circuit 14 which outputs the more preferable signal.

The Examiner contends that Muramatsu's first demodulation circuit 7, error correction circuit 11, and comparing and selecting circuit 13 correspond to the claimed demodulator, error corrector, and address output part, respectively. However, Muramatsu does not disclose wherein the data signal is an address data, and that the address data is modulated using different modulation schemes.

Sako is directed to an optical storage medium that has two recording area of different formats. Data in a CD signal format is recorded in a first portion PA1 of a disk 1 serving as the storage medium, and compressed digital data in CD-ROM format is double density recorded to a second portion PA2 of the disc 1. A selector 85 outputs reproduction data of PA1 to an output terminal a and reproduction data of PA1 to an output terminal b. From output terminal a, the data of PA1 is demodulated by a first part demodulating portion 91. From output terminal b, the data of PA2 is demodulated by a second part demodulating portion 92.

The Examiner acknowledges that Muramatsu does not disclose wherein the data signal is an address data, and that the address data is modulated using different modulation schemes. The Examiner cites Sako to supply those deficiencies. The Examiner alleges that one of ordinary skill in the art would have been motivated to combine the teachings of Muramatsu and Sako to reproduce address data in order to properly reproduce the contents of the disc and to reproduce data with demodulators that correspond to modulation schemes of the recorded data in order to reproduce discs that contain both data and audio format information. However, there is no need to combine the alleged feature of providing different modulating circuits to the apparatus of Muramatsu which reads the same signal a plurality of times. Thus, Applicant submits that one of

ordinary skill in the art would not have been motivated to combine the teaching of Sako with the apparatus of Muramatsu.

Furthermore, even if the teaching of Sako were to be combined with the apparatus of Muramatsu, a resultant structure would be such that the demodulating circuits 91, 92 of Sako are respectively assigned to the ROUT 1 and ROUT 2 of Muramatsu, so that one of the demodulating portions would receive an input signal having an inoperative format. Thus, the suggested combination of Muamatsu and Sako would result in an inoperative status of the apparatus.

Moreover, an address data of Sako is located either in the first portion PA1 *or* the second portion PA2 and has been modulated using only a CD signal format *or* CD-ROM format. Thus, Sako does not teach address data obtained by modulating the address in at least two different modulation schemes as recited in claim 1. Also, Sako indicates that the second part demodulating portion 92 performs the same signal process as the first part demodulating portion 91, each performing EFM-demodulation (col. 14, lines 62-67), contrary to the Examiner's assertion on Page 3 of the Office Action. Thus, Sako does not teach demodulation processing on a read signal read from a recording medium corresponding to each of the modulation schemes as recited in claim 1. Muramatsu does not cure these deficiencies. Because the combination of Muramatsu and Sako does not teach or suggest all of the claimed features of claim 1, Applicant submits that this claim is patentable and respectfully requests the withdrawal of the rejection.

Claim 5 contains features analogous to the features recited in claim 1. Thus, Applicant submits that claim 5 is patentable for reasons analogous to those discussed above regarding claim

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/618,711

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1. Applicant further submits that claims 2 and 6, being dependent on claims 1 and 5, respectively, are patentable at least by virtue of their dependency.

For all the foregoing reasons it is respectfully submitted that claims 1-2 and 5-6, being all the claims present in the application, are patentable and that this application is in condition for allowance. It is therefore respectfully requested that the subject application be passed to issue at the earliest possible time.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

An Extension of time fee of \$120.00 is being submitted via EFS. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

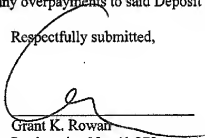
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